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PATENT  
05.20.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Technology Center 2100

In re Patent Application of  
JOSE GABRIEL MENCHERO  
Application No. 09/848,741  
Filed: March 3, 2001

Group Art Unit: 2121

Examiner: Unknown

**INFORMATION DISCLOSURE  
STATEMENT**

For: **METHOD AND SYSTEM FOR MULTI-  
PERIOD PERFORMANCE  
ATTRIBUTION WITH METRIC-  
PRESERVING COEFFICIENTS**

400 Montgomery Street, Suite 1110  
San Francisco, CA 94104  
(415) 433-2250

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Box, Commissioner for Patents, Washington, DC 20231, on February 15, 2002.

GIRARD & EQUITZ LLP

Date: 02/15/02

By: *Marsha A. Townsend*  
Marsha A. Townsend

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant submits herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which he is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.
- (d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.

- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) are checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

- (f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- (g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 (Modified) is supplied herewith:

- (h) ☒ each (i) ☐ none (j) ☐ only those listed below:

Those patent(s) or publication(s) which are marked with an asterisk (\*) in the attached form PTO-1449 (Modified) are not supplied because they were previously cited by or submitted to the Office in a prior application no. , filed , and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:

- (k) ☐ not given
- (l) ☐ given for each listed item
- (m) ☐ given [by providing a translation] for only non-English language listed item(s) [Required]
- (n) ☒ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

[x] The Commissioner is hereby authorized to charge our Deposit Account No. 50-1697 for any fees required in connection with the filing of this Information Disclosure Statement. **A duplicate copy of this Notice is enclosed for this purpose.** In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,

GIRARD & EQUITZ LLP

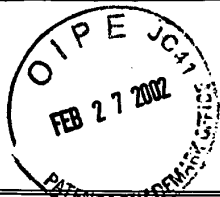
Dated: 2/15/02

By: Alfred A. Equitz

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Reg. No. 30,922

Attorneys for Applicant(s)

Attorney Docket No. VTEK-120



Sheet 1 of 1

FORM PTO-1447 (Modified) (Rev. 7-80)		U.S. Dept. of Commerce Patent and Trademark Office		Atty Docket No.: VTEK-120		Appln. No.: 09/848,741	
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Applicant(s): Jose Gabriel Menchero			
				Filing Date: May 3, 2001		Group: 2121	
U.S. PATENT DOCUMENTS							
*Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	AB	5,761,442	06/02/1998	Barr et al.	395	236	08/31/1994
	AC	5,930,762	07/27/1999	Masch	705	7	09/24/1996
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	AH						
	AI						
FOREIGN PATENT DOCUMENTS							
*Examiner Initials		Document Number	Date	Country	Class	Subclass	Translation YES NO
	AJ						
	AK						
OTHER DOCUMENTS							
	AL	MAR 04 2002					
	AM	Technology Center 2100					
Examiner				Date Considered			
* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							